



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/277,821	03/29/1999	KEIICHI SAKAI	862.2756	4114

5514 7590 06/23/2005

FITZPATRICK CELLA HARPER & SCINTO  
30 ROCKEFELLER PLAZA  
NEW YORK, NY 10112

EXAMINER

LUU, LE HIEN

ART UNIT PAPER NUMBER

2141

DATE MAILED: 06/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

87

## Office Action Summary

Application No.

09/277,821

Applicant(s)

SAKAI, KEIICHI

Examiner

Le H Luu

Art Unit

2141

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 31 March 2005.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1,2 and 4-35 is/are pending in the application.
- 4a) Of the above claim(s) 14-35 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,2 and 4-13 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03/29/1999 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- 1) ☐ Certified copies of the priority documents have been received.
  - 2) ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

Art Unit: 2141

1. Claims 1-2 and 4-13 are presented for examination.
2. Applicant's election without traverse of Group I, claims 1-2 and 4-13 in the reply filed on 03/21/2005 is acknowledged.
3. Applicant is requested to formally cancel non-elected claims 14-35.
4. Claims 1-2, and 4-13 are rejected under 35 U.S.C. § 103 (a) as being unpatentable over Chen et al. (Chen) patent no. 5,553,609, in view of Dean et al. (Dean) patent no. 5,943,478, and Hecht et al. (Hecht), patent no. 5,032,979, and Seeley et al. (Seeley), patent no. 6,097,429.
5. As to claim 1, Chen teaches the invention substantially as claimed, including a server (Master Monitoring Station (MMS) 24 figure 7; col. 6 lines 23-50) for making it possible for a remote client, the client being of a plurality of clients (health care professionals, col. 6 lines 23-50) to control an image sensing device via a communication medium and for controlling to transfer video information, which has been captured by the image sensing device, to the plurality of clients via the communication medium (col. 8 lines 15-40; col. 11 lines 38-52), said server comprising:  
  
an input device, adapted to enter a request for transferring the video information captured by the image sensing device to the plurality of clients, and another request for control the image sensing device remotely (col. 8 lines 15-40; col. 11 lines 38-52; col. 18 lines 20-24).

Art Unit: 2141

However, Chen does not explicitly teach the request entered by a user different from the client for reporting information identifying the plurality of clients that received the video information, nor information identifying the remote client to said server gives a control privilege to control the optical system and orientation of the image sensing device remotely and exclusively.

Dean teaches an administrator who is different than a user can obtain report information identifying users that receive selected media services from a media server using user access data and user information tracking (col. 1 line 66 - col. 2 line 37, col. 7 lines 28-67).

Hecht teaches using audit commands by superuser and generating an audit record for each recorded event which includes actions taken by computer operators and system administrators (col. 5 lines 35-68; col. 18 lines 15-40).

Seeley teaches giving an operator sole responsibility of controlling a video security system remotely (col. 7 line 63 – col. 9 line 40)

It would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention to combine the teachings of Chen, Dean, Hecht, and Seeley to allow a user other than the client to enter a request to identify and report the clients that received the video information, and another request for identifying the remote client that has the control privilege to control the optical system and orientation of the image sensing device remotely and exclusively because it would allow the system to provide accurate accounting service and audit trail.

6. As to claims 2 and 4, Chen teaches said image sensing means is a camera and

Art Unit: 2141

control of the image sensing means includes optical control and orientation control (col. 8 lines 15-40).

7. As to claims 5 and 7, Chen teaches input device includes: a voice input unit; and a recognition unit, adapted to recognize a voice input by said voice input unit; and notification device reports by voice (col. 4 lines 55-61; figures 3-4).

8. As to claim 6, Chen teaches information reported includes user names (col. 6 line 51 - col. 7 line 2).

9. Claims 8-13 have similar limitations as claims 1-2 and 4-7; therefore, they are rejected under the same rationale.

10. Applicant's arguments with respect to claims 1-2 and 4-13 have been considered but are deemed to be moot in view of the new grounds of rejection.

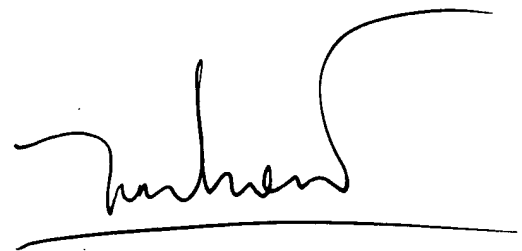
11. Applicant's amendment necessitated the new grounds of rejection. Accordingly, THIS ACTION IS MADE FINAL. See M.P.E.P. § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 C.F.R. § 1.136(a).

A SHORTENED STATUTORY PERIOD FOR RESPONSE TO THIS FINAL ACTION IS SET TO EXPIRE THREE MONTHS FROM THE DATE OF THIS ACTION. IN THE EVENT A FIRST RESPONSE IS FILED WITHIN TWO MONTHS OF THE MAILING DATE OF THIS FINAL ACTION AND THE ADVISORY ACTION IS NOT MAILED UNTIL AFTER THE END OF THE THREE-MONTH SHORTENED STATUTORY PERIOD, THEN THE SHORTENED STATUTORY PERIOD WILL EXPIRE ON THE DATE THE ADVISORY ACTION IS MAILED, AND ANY EXTENSION FEE PURSUANT TO 37 C.F.R. § 1.136(a) WILL BE CALCULATED FROM THE MAILING DATE OF THE ADVISORY ACTION. IN NO EVENT WILL THE STATUTORY PERIOD FOR RESPONSE EXPIRE LATER THAN SIX MONTHS FROM THE DATE OF THIS FINAL ACTION.

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Le H Luu whose telephone number is 571-272-3884. The examiner can normally be reached on 7:00am - 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on 571-272-3880. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'Le Hien Luu', is written over a horizontal line.

LE HIEN LUU  
PRIMARY EXAMINER

June 20, 2005